

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ZACHARY JOSEPH LOVE,

Defendants.

4:15CR3059

ORDER

Defendant has moved for release from custody to participate in drug treatment at Siena/Francis House in Omaha, Nebraska. (Filing No. 30). Upon review of the defendant's record, while he may need drug treatment, he was detained because of his criminal history—including a history of assaults, threats, perjury, and obstructing law enforcement—and a significant history of failing to appear at court proceedings (with several bond forfeitures) and probation violations. Based on the criminal history, the defendant has routinely violated the courts' orders to appear and to abide by the rules of his probation.

The defendant's proposed release plan—drug treatment at a location he can walk away from at any time—does not address the court's primary concerns with this Defendant's release pending trial. That is, release to the Siena/Francis House will not sufficiently ameliorate the substantial risk of Defendant's nonappearance at future court proceedings and of harm to the public if he is released.

Accordingly,

IT IS ORDERED that Defendant's motion to participate in drug treatment at Siena/Francis House in Omaha, Nebraska, (Filing No. 30), is denied.

July 23, 2015.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge